

SEP - 1 2006

UNITED STATES DISTRICT COURT For The Northern Mariana Islands  
FOR THE By \_\_\_\_\_  
NORTHERN MARIANA ISLANDS (Deputy Clerk)

ANGELO M. LABORCE,

Civil Action No. 05-0036

Plaintiff,

vs.

S-WON INC., P&S, INC., KYUN KIM,  
JOHN GERALD PANGELINAN, DANUAL  
MUNA QUITUGUA, DARREL MUNA  
QUITUGUA & JOE CRISOSTOMO,

## CASE MANAGEMENT SCHEDULING ORDER

## Defendants,

Eric S. Smith  
Attorney at Law  
P.O. Box 5133  
Saipan, MP 96960.

Stephen J. Nutting  
Attorney at Law  
P.O. Box 5222  
Saipan, MP 96950

Pursuant to Federal Rule of Civil Procedure 16(b)<sup>1</sup> and Local Rule 16.2CJ.e.4, a Case Management Conference was conducted in the above case on Friday, September 1, 2006. As a result of the conference,

**IT IS ORDERED THAT:**

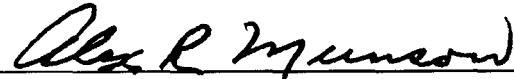
1. All parties are to be joined on or before December 1, 2006.

Fed.R.Civ.P. 16(b)(6) provides in part that a case management scheduling order “shall not be modified except upon a showing of good cause and by leave of the district judge[.]” To establish good cause, a party must generally show that even with the exercise of due diligence it cannot meet the order’s timetable. See e.g. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). The liberal amendment policy of Fed.R.Civ.P. 15 no longer obtains once the case management scheduling order has been entered. See Coleman v. Quaker Oats Co., 232 F.3d 1271, 1294 (9th Cir. 2000).

- 1        2. All motions to amend pleadings shall be filed on or before December 1, 2006.
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- 3        3. All discovery shall be served by December 1, 2006.
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- 5        4. All discovery motions shall be filed so as to be heard on or before January 25, 2007. The following discovery documents and proofs of service thereof shall not be filed with the Clerk until there is a motion or proceeding in which the document or proof of service is in issue and then only that part of the document which is in issue shall be filed with the Court:
  - 8        a. Transcripts of depositions upon oral examination;
  - 9        b. Transcripts of deposition upon written questions;
  - 10        c. Interrogatories;
  - 11        d. Answers or objections to interrogatories;
  - 12        e. Requests for production of documents or to inspect tangible things;
  - 13        f. Responses or objections to requests for production of documents or to inspect tangible things;
  - 14        g. Requests for admission; and,
  - 15        h. Responses of objections to requests for admission.
- 16        5. A status conference will be held on January 5, 2007, at 9:30 a.m.
- 17        6. All dispositive motions shall be heard on or before March 8, 2007. Said motions shall be filed in accordance with Local Rules 7.1 and/or 56.1.
- 18        7. A settlement conference will be held on March 23, 2007, at 9:00 a.m.
- 19        8. The jointly-prepared final pretrial order, prepared pursuant to Local Rule 16.2CJ.e.9, shall be filed with this Court by April 9, 2007.
- 20        9. A final pretrial conference will be held on April 13, 2007, at 9:00 a.m.
- 21        10. The trial in this case shall begin on April 23, 2007, at 9:00 a.m.

22        This case has been assigned to the Standard Track.

23        DATED THIS 1<sup>st</sup> day of September, 2006, Garapan, Saipan, CNMI.

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 Judge Alex R. Munson